

# House File 165 - Introduced

HOUSE FILE \_\_\_\_\_  
BY HEATON and SMITH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to provision of child abuse information  
2 concerning children under the supervision of juvenile court  
3 services and making penalties applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1786YH 83  
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1 1 Section 1. Section 232.70, subsection 3, Code 2009, is  
1 2 amended to read as follows:  
1 3 3. The oral report shall be made by telephone or otherwise  
1 4 to the department of human services. If the person making the  
1 5 report has reason to believe that immediate protection for the  
1 6 child is advisable, that person shall also make an oral report  
1 7 to an appropriate law enforcement agency. If the report  
1 8 involves a child who is under the supervision of juvenile  
1 9 court services and the person making the report is providing  
1 10 care or services on behalf of juvenile court services or is  
1 11 otherwise aware of such supervision, the person shall also  
1 12 make an oral report to and may discuss the contents of the  
1 13 report with juvenile court services.

1 14 Sec. 2. Section 232.70, subsection 5, Code 2009, is  
1 15 amended by adding the following new paragraph:  
1 16 NEW PARAGRAPH. c. If the report involves a child who is  
1 17 under the supervision of juvenile court services, notify the  
1 18 appropriate juvenile court services office of the receipt of  
1 19 the report.

1 20 Sec. 3. Section 232.71B, subsection 14, Code 2009, is  
1 21 amended to read as follows:

1 22 14. COUNTY ATTORNEY == JUVENILE COURT. The department  
1 23 shall provide the juvenile court and the county attorney with  
1 24 a copy of the portion of the written assessment pertaining to  
1 25 the child abuse report. If the child abuse report involves a  
1 26 child who is under the supervision of juvenile court services,  
1 27 the department shall provide the same information to juvenile  
1 28 court services. The juvenile court, and the county attorney,  
1 29 and juvenile court services shall notify the department of any  
1 30 action taken concerning an assessment provided by the  
1 31 department.

1 32 Sec. 4. Section 232.71D, subsection 5, Code 2009, is  
1 33 amended by adding the following new paragraph:  
1 34 NEW PARAGRAPH. c. If a report of child abuse involves a  
1 35 child who is under the supervision of juvenile court services  
2 1 and data or information addressed by this subsection is  
2 2 disseminated to juvenile court services, the confidentiality  
2 3 of the data or information shall be maintained by juvenile  
2 4 court services in accordance with this subsection.

2 5 Sec. 5. Section 235A.15, subsection 3, Code 2009, is  
2 6 amended by adding the following new paragraph:  
2 7 NEW PARAGRAPH. e. To juvenile court services, to the  
2 8 extent the data involves a child who is under the supervision  
2 9 of juvenile court services.

2 10 EXPLANATION

2 11 This bill relates to child abuse information concerning a  
2 12 child who is under the supervision of juvenile court services.  
2 13 Various provisions involving reporting of child abuse and  
2 14 child abuse data and information are amended to provide access  
2 15 to the reports and information involving such a child to  
2 16 juvenile court services.

2 17 Code section 232.70, relating to the child abuse reporting  
2 18 procedure, is amended. Current law provides a mandatory  
2 19 reporter must report both orally and in writing and a

2 20 permissive reporter may use one method or the other or both.  
2 21 Under the bill, if an oral report is made concerning such a  
2 22 child, the reporter must also notify juvenile court services  
2 23 and also may discuss the report. If the department of human  
2 24 services (DHS) receives a child abuse report and such a child  
2 25 is involved, the bill requires DHS to notify juvenile court  
2 26 services.

2 27 Code section 232.71B, relating to the assessment performed  
2 28 by DHS concerning a child abuse report, is amended to require,  
2 29 when the report concerns such a child, that DHS provide to  
2 30 juvenile court services a copy of the portion of the written  
2 31 assessment pertaining to the child abuse report.

2 32 Code section 232.71D, relating to placement of founded  
2 33 child abuse information on the central registry and  
2 34 confidentiality of information, is amended to provide that  
2 35 juvenile court services must maintain the confidentiality of  
3 1 information provided in accordance with Code section 217.30  
3 2 and Code chapter 235A. Violation of Code section 217.30 is a  
3 3 serious misdemeanor. Willful violation of Code chapter 235A  
3 4 is a serious misdemeanor and knowing communication of child  
3 5 abuse information without criminal intent is a simple  
3 6 misdemeanor. A serious misdemeanor is punishable by  
3 7 confinement for no more than one year and a fine of at least  
3 8 \$315 but not more than \$1,875. A simple misdemeanor is  
3 9 punishable by confinement for no more than 30 days or a fine  
3 10 of at least \$65 but not more than \$625 or by both.

3 11 Code section 235A.15, relating to access to child abuse  
3 12 information, is amended to provide access to juvenile court  
3 13 services for report data and disposition data for cases of  
3 14 child abuse determined to meet the definition of child abuse  
3 15 but the cases were determined to be minor, isolated, and  
3 16 unlikely to reoccur so were not placed on the central  
3 17 registry. Access by juvenile court services is limited to the  
3 18 extent the data involves a child who is under the supervision  
3 19 of juvenile court services.

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